

**ST. GEORGE CITY COUNCIL MINUTES  
REGULAR MEETING  
AUGUST 20, 2015, 5:00 P.M.  
CITY COUNCIL CHAMBERS**

**PRESENT:**

**Mayor Pro Tem Gil Almquist  
Councilmember Jimmie Hughes  
Councilmember Joe Bowcutt  
Councilmember Bette Arial  
City Manager Gary Esplin  
City Attorney Shawn Guzman  
City Recorder Christina Fernandez**

**EXCUSED:**

**Mayor Jon Pike  
Councilmember Michele Randall**

**OPENING:**

Mayor Pro Tem Almquist called the meeting to order and welcomed all in attendance. The invocation was offered by Pastor Jimi Kestin and the Pledge of Allegiance to the Flag was led by Scout Daniel Bowman.

**CANVASS ELECTION RETURNS:**

**Canvass of the 2015 Municipal Primary Election votes.**

Melanie Abplanalp, Washington County Election Clerk, explained the reports included in the packet that she provided. She then presented the final election results, as follows:

Total Votes Percentage:

Jimmie B. Hughes	1,753	17.66%
Bette. O. Arial	1,616	16.28%
Ed Baca	1,398	14.08%
Gregg McArthur	1,139	11.47%
N. Craig Hammer	962	9.69%
Brian Thiriot	780	7.86%
Lane Ronnow	588	5.92%
Michelene Perez	550	5.54%
Kendall Clements	436	4.39%
Eric Hovland	377	3.80%
Marc Stallings	330	3.32%

**MOTION:** A motion was made by Councilmember Hughes to accept the 2015 primary election results.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin advised that items 6G and 6F will be removed from the agenda.

**AWARD OF BID:**

**Consider award of bid for improvements adjacent to the Dixie Center.**

City Manager Gary Esplin stated that this bid is for improvements adjacent to the Dixie Center. Under the terms of the sale, the City was required to make certain there are erosion protection controls. Additionally, the City will landscape the frontage. Because of endangered species in the River, the project needs to begin quickly.

Purchasing Manager Connie Hood advised that the low bidder is Progressive Contracting in the amount of \$655,944.36.

City Manager Gary Esplin stated that when this project is complete, all of the tamarisks will be gone and trees will be planted to help with flooding. All of the costs will be received back from the EDA when development is complete.

**MOTION:** A motion was made by Councilmember Hughes to award the bid to Progressive Contracting for \$655,944.36.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote

Councilmember Hughes – aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

**AWARD OF BID:**

**Consider award of bid for the lease of 35 Police SUV's.**

City Manager Gary Esplin stated that this is approved in current budget. There is a need to replace several vehicles in the Police Department. A local company whose bid was within 5% declined to match the low bid.

Purchasing Manager Connie Hood advised that the low bidder is Larry Miller Ford at \$30,740 each to purchase; however, they will be leased.

City Manager Gary Esplin explained the City will have the option to purchase them at the end of the lease. With all of the options, the total cost per vehicle is approximately \$38,000; the total amount is approximately \$1.4 million. The \$1,075,900 is the cost to lease the vehicles. Staff has discussed the mileage limit with the Police Department – they believe they can stay within the limit.

**MOTION:** A motion was made by Councilmember Arial to award Larry Miller Ford the lease of 35 SUV's at a cost of \$1,075,900.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**OFF PREMISES BEER LICENSE:**

**Consider approval of a request for an off premise beer license for JB's Market Express Mart located at 1148 South Bluff Street. Jordan Eric Jenkins, applicant.**

City Manager Gary Esplin advised this is not a new license, but a change of ownership. The application meets requirements.

**MOTION:** A motion was made by Councilmember Hughes to approve the off premise beer license for JB's Express Mart.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**SPECIAL EVENT:**

**Consider approval of the Ham It Up Against Hunger 5k event. Kelly Ochsenhirt, applicant.**

City Manager Gary Esplin explained that the original request was to cross River Road; however, the applicant has altered the route and will remain in the west side.

**MOTION:** A motion was made by Councilmember Bowcutt to approve the Ham It Up Against Hunger 5k event as prevented.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**FINAL PLAT:**

Assistant Public Works Director Wes Jenkins presented the final plat for The Ledges of St. George Hidden Pinyon Phase 1, an 11-lot residential subdivision, located at approximately 1350 West Ledges Parkway; zoning is PD-R. He presented and reviewed the final plat.

**MOTION:** A motion was made by Councilmember Hughes to approve the final plat for The Ledges of St. George Hidden Pinyon Phase 1.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote

Councilmember Hughes – aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

**FINAL PLAT:**

Assistant Public Works Director Wes Jenkins presented the final plat for The Ledges of St. George Northgate Peaks Phase 1, a 10-unit residential subdivision, located at approximately 1370 West and north of Ledges Parkway; zoning is PD-R. He presented and reviewed the final plat.

**MOTION:** A motion was made by Councilmember Bowcutt to approve the final plat for The Ledges of St. George Northgate Peaks Phase 1.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote

Councilmember Hughes – aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

**FINAL PLAT:**

Assistant Public Works Director Wes Jenkins the final plat for Hawthorne Phase 1, a 16-lot residential subdivision, located at approximately 3420 South and 3000 East Street; zoning is R-1-10. He presented and reviewed the final plat.

City Attorney Shawn Guzman inquired about lot sizes.

Mr. Jenkins explained when the preliminary plat was approved, lot size averaging worked out correctly. Now that are going into phases, a couple of them won't; however, Planning & Zoning Manager John Willis checked they do meet the requirements overall.

**MOTION:** A motion was made by Councilmember Arial to approve the final plat for Hawthorne Phase 1 with the minimum approved lot size.

**SECOND:** The motion was seconded by Councilmember

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**FINAL PLAT:**

Assistant Public Works Director Wes Jenkins presented the final plat for Hawthorne Phase 2. A 14-lot residential subdivision, located at approximately 3420 South and 3170 East; zoning is R-1-10. He presented and reviewed the final plat.

City Attorney Shawn Guzman stated that this is okay as long as both phases meet lot size averaging.

**MOTION:** A motion was made by Councilmember Arial to approve the final plat for Hawthorne Phase 2 with the minimum approved lot size.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**FINAL PLAT AMENDMENT:**

Assistant Public Works Director Wes Jenkins presented a final plat amendment for The Vistas at Entrada Phase 1, 2<sup>nd</sup> Amended and Extended, a 10-lot residential amended subdivision located at approximately 2055 West and 2600 North; zoning is PD-R. Originally, when this came in, there was a 10 foot gap between the property line and the right of way line they were going to give to the HOA. The HOA decided they did not want to maintain that, they wanted that in the lots themselves. He presented and reviewed the final plat amendment.

**MOTION:** A motion was made by Councilmember Hughes to approve The Vistas at Entrada Phase 1, 2<sup>nd</sup> Amended and Extended.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Sunbrook Hollow Town Homes, which consists of 14 buildings with 54 town home units, located at 415 South Dixie Drive; zoning is PD-R. The Council recently approved a zone change on this property. They have amended the plat, eliminating one of the accesses with a second access in the future. He presented and reviewed the preliminary plat.

Mayor Pro Tem Almquist commented that he looked at the site following the previous discussion. It would be nice to keep as much of the foliage as possible.

Councilmember Arial asked if all of the concerns from the previous meeting have been met.

Councilmember Bowcutt explained that not all were met, but they were addressed. There is a challenge of getting in and out on Dixie Drive.

City Manager Gary Esplin stated that there were two issues that the property owners had with regard to access on Dixie Drive. What they are asking is to narrow the median. Staff is looking at that from a traffic standpoint. Eventually, when the property to the south is developed, a traffic signal will be installed. The neighbors were more vocal and concerned at the Planning Commission meeting until they found out that the previous proposal had a higher density.

**MOTION:** A motion was made by Councilmember Arial to approve the preliminary plat for 14 buildings with 54 townhome units for Sunbrook Hollow Town Homes.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

Councilmember Bowcutt inquired if they are approving phase 1 with the option of phase 2.

Mr. Jenkins clarified there are four phases; the first three will contain the 50 units, the last will contain the 4 units.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

Assistant Public Works Director Wes Jenkins presented the preliminary plat for The South Rim at Foremaster Ridge, a 95-lot residential subdivision located at to the west of the existing Foremaster Ridge subdivision in the vicinity of Foremaster Drive and 1740 East Street; zoning is R-1-10. He presented and reviewed the preliminary plat. The developer is requesting lot size averaging. There is a 30 foot ridgeline setback in which structures or accessory structures are not allowed. Some of the lots will be walkout basements and others will require access on interior streets. Because there is a fair amount of traffic on

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Foremaster Drive, they are looking at the possibility of providing a narrow road down to Riverside Drive.

City Manager Gary Esplin inquired if the policy requires a second access with a certain amount of units. He commented that needs to be addressed prior to the final plat being approved. An additional access will be needed.

Mr. Jenkins believes the property on the south side is owned by the City. He will look at that. He stated there is not access from Howard Lane; all access comes from Foremaster Drive.

City Attorney Shawn Guzman stated that it appears that the City parcel is a bit to the west. Notes on plats will have to be clarified. Staff is trying to figure out a way to better notify the lot owners that the building envelope is smaller than it appears to be.

City Manager Gary Esplin suggested putting the buildable pad on the plat itself when it is approved.

Mr. Jenkins commented that he will have the building envelope put on the final plat and staff will work with the developer on a second access.

**MOTION:** A motion was made by Councilmember Arial to approve the preliminary plat for The South Rim at Foremaster Ridge which includes a 30 foot setback, requiring a second access to the subdivision.

**SECOND:** The motion was seconded by Councilmember Hughes.

Mayor Pro Tem Almquist asked that the motion include that the plat have a better description of the building envelope at as suggested by City Attorney Shawn Guzman.

Councilmember Arial added that to her motion. Councilmember Hughes was okay with the addition.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote

Councilmember Hughes – aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

Assistant Public Works Director Wes Jenkins presented the preliminary plat for The Cove at Little Valley, a 35-lot residential subdivision located at Horseman Park Drive and Little Valley Drive; zoning is R-1-12 and RE-20. They are proposing double frontage lots along Little Valley Road which will require a privacy wall and a 10 foot landscape strip. The developer is requesting that the City own and maintain the landscape along Little Valley Road; they will pay the landscape maintenance fee for a 10 year period. This has been done with other developments in that area. Horseman Park Drive will be a 60 foot right of way with a trail on the southern side. He mentioned that there is a low spot on Little Valley Road that flooded during the last rainstorm. They will install a drainage corridor to

handle the water. Additionally, there is a power pole that Dixie Power does not have good access to. They are asking for access along one of the bigger lots. The engineer is drawing something up which will be shown on the final plat.

Councilmember Hughes recommended they go bigger than what the study shows as there is not enough drainage in the area.

City Manager Gary Esplin commented that staff is aware of the issues and has met with the developer. Right now, a 10-year storm is required, anything over that has to be maintained in the roads. If you get more than a 100-year storm at one time in one location, the water will go from the curbs to the front yards. Hopefully as the developer builds, they build the homes elevated a bit. Staff is looking at another pipe that goes down Horseman Park Drive.

Councilmember Bowcutt noted that the far north piece looks like it has a separate tax id.

Mr. Jenkins stated that is correct. That piece will not be a part of this subdivision. An agreement with the property owner indicates that the curb and gutter will be built all the way around the lot. He explained that there is not a buffer shown on the master plan; therefore, it will not be required. The plat notes that it is an agricultural area.

**MOTION:** A motion was made by Councilmember Bowcutt to approve the preliminary plat for The Cove at Little Valley, subject to the easement needed for drainage and the power line.

**SECOND:** The motion was seconded by Councilmember Hughes.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote

Councilmember Hughes – aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

**PRELIMINARY PLAT:**

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Boulder Creek Crossing, a 3-lot commercial subdivision located at approximately 1450 South River Road; zoning is PD-C. They have a 20 foot easement that staff is requesting they change to 25 feet. They will build a deceleration lane on River Road. He explained that each of the pads will be individually owned; the car wash will be built on lot 1. The developer will return for approval as each lot is developed.

**MOTION:** A motion was made by Councilmember Hughes the preliminary plat for Boulder Creek Crossing.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote

Councilmember Hughes – aye

Councilmember Bowcutt – aye

Councilmember Arial – aye



The vote was unanimous and the motion carried.

**CONDITIONAL USE PERMIT:**

**Consider approval of a conditional use permit to construct a detached garage with an approximate height of 18' on the property located at 2484 East 3670 South. Jeff Eggertz, applicant.**

Planner Ray Snyder presented the request for a conditional use permit to construct a detached garage with an approximate height of 18 feet on the property located at 2484 East 3670 South. He showed a map of the area, outline of the project, an aerial view of the home, zoning map, plot plan, site plan, elevation, photos of the area, floor plan and site plan showing the height of the garage.

**MOTION:** A motion was made by Councilmember Hughes to approve the conditional use permit to exceed the 15 foot height for the detached garage up to 18 feet.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote

Councilmember Hughes – aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin introduced the new Human Resources Director Sharon Hokanson.

Ms. Hokanson provided a bit of information about herself.

**PUBLIC HEARING/ROADWAY AND ROAD STUB VACATION/ORDINANCE:**

**Public hearing to consider vacating a portion of a public roadway and road stub located on Canyon View Drive.**

City Manager Gary Esplin stated that this ordinance is to vacate a portion of public roadway on Canyon View Drive. The Council recently approved a bid to realign the road. With the new right of way, a portion of the road is no longer necessary.

City Attorney Shawn Guzman mentioned that per the agreement with Leland Bird, in exchange for them giving the City the right of way, they get the stub.

Mayor Pro Tem Almquist opened the public hearing. There being no comment, he closed the public hearing.

**MOTION:** A motion was made by Councilmember Hughes to vacate the portion of the public roadway and road stub located on Canyon View Drive.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**PUBLIC COMMENT/PROPOSED SALE OF CITY PROPERTY:**

**Take public comment on the proposed sale of approximately 200 acres of City owned property with a value of \$500,000 or more; the property is at and near the former airport site and is located at approximately 200 South – 600 South Airport Road and west of Donlee Drive along 265 South Street.**

City Manager Gary Esplin explained that state law requires public comments to be taken if the City proposes to sell property with a value of \$500,000 or more.

Mayor Pro Tem Almquist called for a short recess.

City Manager Gary Esplin explained that the Council has discussed this proposal several times. He then reviewed a map of the property being proposed to sell. Staff will return with proposed uses for the property. As discussed previously, the intent is to create a business park. He noted that several inquiries have been made on the property. The City has an agreement to sell 30 acres to the DXATC and will look into other requests to purchase the rest of the property. The City purchased the Flower's property to protect the rest of the area from being cut. The action tonight will be to take public comment on whether the property should be sold or not.

Mayor Pro Tem Almquist invited the public to comment.

A gentleman named Rick asked to show where the City park is and if that is part of the sale.

City Manager Gary Esplin showed the park on the map and explained that it is not part of the proposal. He explained that there is an existing road at the edge of the hill; staff proposed anything outside of that roadway be dedicated as open space. The proposal is to build the road on the existing runway and have a 50 foot buffer on the hillside that will not have any buildings. There may be a trail built all the way around the top. The road along 250 West will be built up so it does not violate the hillside ordinance.

**CONTRACT:**

**Consider approval of a contract with Paymentus for utility credit card payment processing.**

City Manager Gary Esplin advised this proposal was discussed in the last work meeting.

Deanna Brklacich explained this is for utility payments only. This company is a sole source company as no other company can combine services. Paymentus will take the place of some of the other credit card companies used. This will allow staff to take payments, by phone or a mobile device. Staff recommends entering into a contract. She explained that the costs were included in this year's budget and that staff expects to have some savings by using this company. There are so many ways to make a payment, this will give more options. The implementation will take approximately 90 days; hopefully, the process can begin by the end of the year. An \$80,000 savings is expected across the board.

**MOTION:** A motion was made by Councilmember Hughes to approve the contract with Paymentus for utility credit card payment processing.  
**SECOND:** The motion was seconded by Councilmember Arial.  
**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin noted that the ordinance approved earlier should have been a roll call vote.

**VOTE:** Mayor Pro Tem Almquist called for a roll call vote, as follows:

Councilmember Almquist – aye  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**MINUTES:**

**Consider approval of the minutes from the meeting held on May 28, 2015.**

**MOTION:** A motion was made by Councilmember Arial to approve the minutes from May 28, 2015.  
**SECOND:** The motion was seconded by Councilmember Hughes.  
**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**MINUTES:**

**Consider approval of the minutes from the work meeting held on July 9, 2015.**

**MOTION:** A motion was made by Councilmember Arial to approve the minutes from July 9, 2015.  
**SECOND:** The motion was seconded by Councilmember Bowcutt.  
**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:**

No reports were given.

**ADJOURN TO CLOSED SESSION:**

**MOTION:** A motion was made by Councilmember Hughes to adjourn to a closed session to discuss property.

**SECOND:** The motion was seconded by Councilmember Bowcutt.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**RECONVENE AND ADJOURN:**

**MOTION:** A motion was made by Councilmember Hughes to reconvene and adjourn.

**SECOND:** The motion was seconded by Councilmember Arial.

**VOTE:** Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote  
Councilmember Hughes – aye  
Councilmember Bowcutt – aye  
Councilmember Arial – aye

The vote was unanimous and the motion carried.